

REMARKS

Claims 1-17 have been examined. Claims 1-4 and 17 have been rejected under 35 U.S.C. § 102(b), and claims 1, 2 and 4 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 5-16 contain allowable subject matter.

Preliminary Matters

On page 4 of the Office Action, the Examiner acknowledges that the Mieves reference (cited in the previous Office Action) does not anticipate the present invention. However, the Examiner contends that it would have been obvious to modify Mieves to arrive at the present invention. Applicant respectfully disagrees with the Examiner's contention. If the Examiner continues to believe that it would have been obvious to modify Mieves, Applicant respectfully requests the Examiner to cite to a reference in combination with Mieves in a formal rejection of the claims.

Also, on page 4 of the Office Action, the Examiner maintains that if the rejection under 35 U.S.C. § 112, second paragraph is overcome, claims 5-16 contain allowable subject matter. However, there is no rejection under 35 U.S.C. § 112, second paragraph, set forth in the current Office Action.

Rejections under 35 U.S.C. § 102(b) in view of U.S. Patent No. 6,612,100 to Morimoto et al. ("Morimoto")

The Examiner has rejected claims 1-4 and 17 under 35 U.S.C. § 102(b) as allegedly being anticipated by Morimoto.

A. Claim 1

In the current Office Action, the Examiner now maintains that both the protective cover 12 and the second slide table 440 of Morimoto disclose the claimed pallet. However, as shown in Figure 14 of Morimoto, the films F are placed on the second slide table via the protective cover 12. Since claim 1 recites that the sheets are stacked “directly” on the pallet, the second slide table 440 would not constitute the claimed pallet due to the protective cover 12.

Irrespective of the above, even if Applicant assumes *arguendo* that both the protective cover 12 and the second slide table 440 of Morimoto disclose the claimed pallet, claim 1 remains patentable over the cited references. For example, the protective cover 12 covers the films F to form a package 26 (see Fig. 1). The Examiner maintains that the package producing apparatus 700 discloses the claimed covered sheet stack producing means, and the light shielding bag 28 discloses the claimed protective cover, i.e., where the apparatus 700 covers the package 26 with the light shielding bag 28 to form a film package W (pages 2 and 5 of Office Action; Fig. 1 of Morimoto). However, claim 1 further recites a packaging means that packages the covered sheet stack in a packing bag.

In regard to the claimed packaging means, the Examiner refers to the package stacking apparatus 800 of Morimoto. However, the package stacking apparatus 800 merely “stacks” the already formed film package W. There is no further packing of the film package W into another packaging bag. Thus, based on the Examiner’s current allocation of the cited features of

Morimoto, Applicant submits that Morimoto fails to disclose the claimed packaging of the covered sheet stack in a packaging bag.

In view of the above, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claims 2 and 17

Since claims 2 and 17 are dependent upon claim 1, Applicant submits that claims 2 and 17 are patentable at least by virtue of their dependency.

C. Claim 3

Applicant submits that claim 3 is patentable for at least analogous reasons as presented above for claim 1.

D. Claim 4

Since claim 4 is dependent upon claim 3, Applicant submits that claim 4 is patentable at least by virtue of its dependency.

Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 4,939,888 to Katz et al. ("Katz") and U.S. Patent No. 5,878,554 to Loree et al. ("Loree")

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Katz in view of Loree.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites, “a packaging means for packaging one of said covered sheet stack in a packaging bag to obtain said sheet package.”

In regard to the Loree reference, the alleged packaging means packages a plurality of the alleged covered sheet stacks (see Figures 1 and 3). On the other hand, as set forth above, the claimed packaging means packages “one” of the covered sheet stacks to obtain the sheet package. Since Katz fails to cure the deficient teachings of Loree, Applicant submits that claim 1 is patentable over the cited references.

B. Claim 2

Since claim 2 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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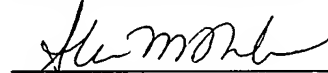
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Respectfully submitted,



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